

LYNCHBURG CITY COUNCIL REPORT

Meeting Date: February 12, 2002

Council Report # 10

Contact: William G. Petty

Report Writer: Mark B. Arthur 847-1593, ext. 231

Subject: Virginia Department of Criminal Justice Services (DCJS) "Virginia Exile" grant program, the goal of which is to utilize collaborative partnerships and resources to bring about a significant, long-term reduction in both the occurrence of firearms-related violence and the presence of illegal firearms within our community.

Purpose of Action: Funding to support planned "Virginia Exile" program initiatives to reduce firearms-related violence, to include:

- collaborative partnerships among criminal justice agencies and the public
- enhanced topical training of criminal justice personnel
- enhanced strategic information dissemination among partner groups
- coordinated enforcement, case preparation, prosecution and follow-up efforts
- collaborative interaction with existing programs and resources

Funding is for the grant period Jan. 1, 2002-Dec. 31, 2003.

Action Required:

Funding:	Source	One-time	Totals
	State (DCJS)	\$269,969	\$269,969
	Local (Lynchburg Police Department)	7,867	7,867
	Local (Commonwealth Attorney's Office)	22,130	22,130
	Total:	\$299,966	\$299,966

Prior Action: None taken

Attachments: DCJS grant award letter and statement of grant award/acceptance.

Resolution/Ordinance:

BE IT RESOLVED That \$299,966 is appropriated to the City/Federal/State Aid Projects Funds with resources of \$269,969 from the Virginia Department of Criminal Justice Services and \$29,997 in local match monies from the Lynchburg Police Department and Commonwealth Attorney's Office (see above figures), for continued funding of the "Virginia Exile" collaborative initiative to reduce firearms-related violence and possession of illegal firearms with our community.

BE IT RESOLVED That the Financial Services Director is authorized to make such temporary loans from the General Fund to the City/Federal/State Aid Projects Fund as are necessary to fund this grant.

Introduced:

Adopted:

Certified:

Clerk of Council

025L

Other Information: Exile is a highly successful federal and state initiative. The program is designed to target those who use or possess illegal firearms. In addition, the program involves a public awareness campaign designed to communicate the serious consequences of illegal firearm use and possession. In 1999, the General Assembly enacted legislation allowing Virginia's police and prosecutors the ability to implement Exile in selected jurisdictions across the state. The legislation then provided the tools to seek pre-trial detention and stiff mandatory sentences for individuals involved in gun violence. In Dec. 1999, Lynchburg became one of ten Virginia localities selected to receive "Virginia Exile" program funding. This initial grant award provided funding for the program from Jan. 2000-Dec. 2001. The program's most recent award will provide continuation funding for the program from Jan. 2002-Dec. 2003.

Since the program's inception in 2000, the Commonwealth Attorney's Office has obtained 46 convictions on Exile-related charges, a 90% conviction rate for the program's first two years of operation. Keeping the Exile conviction rate above eighty-five percent is an ongoing goal for program staff.

In a very brief time period, this project has removed a substantial number of criminals from the community and has demonstrated a reduction in gun carrying by criminals. Anecdotally, Exile has been a remarkably effective program. Police report that drug dealers are throwing down weapons during flight rather than risk being caught with a gun. During interrogations, many defendants comment specifically on Exile in giving up important information on unsolved crimes. When asked why they are being so cooperative, many defendants recite the Exile advertising message.

Continued expansion of Exile's public awareness campaign, successful prosecution of cases, and general deterrence of gun crime are ongoing goals for the Exile program over the next two years. The Commonwealth Attorney's Office and the Lynchburg Police Department are committed to providing the tools and resources necessary to keep our community safe from gun violence and to continue the success of Lynchburg Exile.



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Joseph B. Benedetti
Director

December 26, 2001

805 East Broad Street, Tenth Floor
Richmond, Virginia 23219
(804) 786-4000
FAX (804) 371-8981
TDD (804) 386-8732

Mr. Kimball Payne
City Manager
City of Lynchburg
P. O. Box 60
Lynchburg, Virginia 24505

Title: Lynchburg Exile

Dear Mr. Payne:

I am pleased to advise you that grant number **02-C3526PX02** for the above-referenced grant program has been approved in the amount of \$269,969 in General Funds and \$29,997 in Local Cash Match for a total award of \$299,966.

Enclosed you will find a Statement of Grant Award and a Statement of Grant Award Special Conditions. To indicate your acceptance of the award and conditions, please sign the award acceptance and return it to Janice Waddy, Grants Administrator, at the Department of Criminal Justice Services (DCJS). Please review the conditions carefully; as some require action on your part before we will disburse grant funds.

When we receive documentation showing that you have complied with the conditions, you will be eligible to request funds awarded under this grant. A **REQUEST FOR FUNDS** form is also included with this letter and should be used for this purpose. You may request funds at the same time you submit the documentation of compliance with the grant conditions or at any time thereafter. However, we cannot process your request until we have received and approved all required information.

We appreciate your interest in this grant program and will be happy to assist you in any way we can to assure your project's success. If you have any questions, please call Michael Costigan at (804) 786-0993.

Yours very truly,


Joseph B. Benedetti

Enclosures

cc: The Hon. William G. Petty, Commonwealth's Attorney
Michael Hill, Director of Finance
Michael Costigan, DCJS

Department of Criminal Justice Services

805 East Broad Street, 10th Floor, Richmond, VA 23219

Statement of Grant Award/Acceptance

Subgrantee-- Lynchburg City	Date: December 26, 2001	Grant Number-- 02-C3526PX02
Grant Period-- From: 1/1/2002	Through: 12/31/2003	

Project Director	Project Administrator	Finance Officer
The Hon. William G. Petty Commonwealth' Attorney City of Lynchburg P.O. Box 1539 Lynchburg, Virginia 24505 Phone No: (434) 847-1593	Mr. Kimball Payne City Manager City of Lynchburg P. O. Box 60 Lynchburg, Virginia 24505 Phone No: (434) 847-1443	Mr. Michael Hill Director of Finance City of Lynchburg P. O. Box 60 Lynchburg, Virginia 24505 Phone No: (434) 847-1307

GRANT AWARD BUDGET

Budget Categories	DCJS Funds		Subgrantee Match	TOTALS
	Federal	General		
A. Personnel	\$ 0	\$269,969	\$29,997	\$299,966
B. Consultants	\$ 0	\$ 0	\$ 0	\$ 0
C. Travel	\$ 0	\$ 0	\$ 0	\$ 0
D. Equipment	\$ 0	\$ 0	\$ 0	\$ 0
E Supplies & Other Expenses	\$ 0	\$ 0	\$ 0	\$ 0
TOTALS	\$ 0	\$269,969	\$29,997	\$299,966

This grant is subject to all rules, regulations, and criteria included in the grant application and the special conditions attached thereto.


Joseph B. Benedetti, Director

The undersigned, having received the Statement of Grant Award/Acceptance and the Conditions attached thereto, does hereby accept this grant and agree to the conditions pertaining thereto, this _____ day of _____, 20__.

Signature: _____

Title: Mr. Kimball Payne, City Manager

STATEMENT OF GRANT AWARD SPECIAL CONDITIONS

Department of Criminal Justice Services
805 East Broad Street
Richmond, Virginia 23219

Project Exile -- Local Agencies

Subgrantee: Lynchburg City

Grant Number: 02-C3526PX02

Title: Lynchburg Exile

Date: December 26, 2001

The following conditions are attached to and made a part of this grant award:

1. Where the Statement of Grant Award reflects a required cash match contribution, the grant recipient agrees, by accepting the award, to provide the match as shown.
2. By signing the Statement of Grant Award/Acceptance, the grant recipient agrees:
 - ξ to use the grant funds to carry out the activities described in the grant application, as modified by the terms and conditions attached to this award or by subsequent amendments approved by DCJS;
 - ξ to adhere to the approved budget contained in this award and amendments made to it in accord with these terms and conditions;
 - ξ and to comply with all terms, conditions and assurances either attached to this award or submitted with the grant application.
3. The subgrantee agrees to submit such reports as requested by DCJS on forms provided by DCJS.
4. Grant funds, including matching funds, may only be expended and/or obligated during the grant period. All legal obligations must be fulfilled no later than 90 days after the end of the grant period.
5. By accepting this grant, the recipient assures that funds made available through it will not be used to replace state or local funds that would, in the absence of this grant, be made available for the same purposes.
6. Subgrantees may follow their own established travel rates if they have an established travel policy. If a subgrantee does not have an established policy, then they must adhere to state travel policy. The state allows reimbursement for actual reasonable expenses. The state allows a \$0.325 per mile for mileage. Transportation costs for air and rail are at coach rates.
7. Within 60 days of the starting date of the project, the subgrantee must initiate the program funded. If not started during this period, the subgrantee must report to the DCJS, by letter, the steps taken to initiate the project and the reasons for the delay, and the expected starting date. If the project is not operational within 90 days of the start date, the subgrantee must receive approval in writing from the DCJS for a new implementation date or the DCJS may cancel and terminate the project and redistribute the funds to another program.
8. No amendment to the approved budget may be made without the prior written approval of DCJS. No more than two (2) budget amendments will be permitted during the grant period. Budget amendments must be requested using the enclosed Budget Amendment Request form accompanied with a narrative. No budget amendments will be allowed after October 31, 2002.
9. The subgrantee agrees to forward a copy to the DCJS of the scheduled audit of this grant award.
10. All purchases for goods and services must comply with the Virginia Public Procurement Act. Procurement transactions, whether negotiated or advertised and without regard to dollar value, shall be conducted in a manner so as to provide maximum open and free competition. An exemption to this regulation requires the prior approval of the DCJS and is only given in unusual circumstances. Any request for exemption must be submitted in writing to the DCJS.

Statement of Grant Award Special Conditions (Continued)

Grant No: 02-C3526PX02

11. **PROJECT INCOME:** Any funds generated as a direct result of DCJS grant funded projects are deemed project income. Project income must be reported on forms provided by DCJS. The following are examples of project income: Service fees; Client fees; Usage or Rental fees; sales of materials; income received from sale of seized and forfeited assets (cash, personal or real property included).
12. By accepting this grant award, the recipient agrees to collect and provide data for monitoring and evaluating purposes, as determined by DCJS. These data are necessary for continuing program development and to accomplish an evaluation of the Virginia Exile program, as directed by the Secretary of Public Safety. DCJS will provide specific evaluation and data requirements, which will include the use of case tracking forms, within 30 days of the date of this grant award.
13. By accepting this grant award, you agree to attend all training provided by the Commonwealth's Attorney Services Council and DCJS.
14. Prior to DCJS disbursing funds, the Subgrantee must comply with the following special conditions: